

O I P E
OCT 27 2004
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Felton et al.
Application No.: 10/657,741
Date Filed: 09/08/2003
For: Wafer Level Capped Sensor

Group No.: 2856
Examiner: D.S. Larkin

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee: \$110.00

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

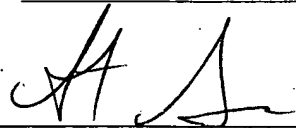
37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____


Signature

Date: October 25, 2004

Steven G. Saunders

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

| | (Col. 1) | (Col. 2) | (Col. 3) | OTHER THAN A SMALL ENTITY | | | | |
|-------------------------------------------|-------------------------------------------|---------------------------------------|------------------|--------------------------------|----------|---------------|----|------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | | ADDIT. FEE | | |
| TOTAL | 6 | — 20 | = 0 | x | \$ 18.00 | = | \$ | 0.00 |
| INDEP. | 1 | — 3 | = 0 | x | \$ 88.00 | = | \$ | 0.00 |
| | | | | ***Multi dependent claim | | | | |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | + | \$ CO*** | = | \$ | 0.00 |
| | | | | TOTAL ADDIT. FEE | | | | |
| | | | | | | \$ | | 0.00 |

No additional fee for claims is required.

FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$110.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

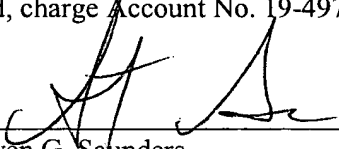
A duplicate of this paper is attached.

FEE DEFICIENCY

6. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

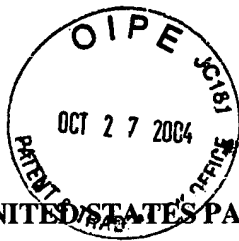
Date: October 25, 2004



Steven G. Saunders
Registration No. 36,265
BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110-1618
US
617-443-9292
Customer No. 002101

02550/00176 341988.1

Practitioner's Docket No.



2550/176

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of _____

Inventor(s)

for _____

Title of invention

the specification of which is being transmitted herewith

OR

In re application of: Lawrence E. Felton, et al.

Application No.: 10/657,741

Group No.: 2856

Filed: September 8, 2003

Examiner: Daniel S. Larkin

For: Wafer Level Capped Sensor

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

(Supplemental Information Disclosure Statement--page 1 of 6)

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10*

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37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10*

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Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office.

Signature

Date: October 25, 2004

Steven G. Saunders

(type or print name of person certifying)

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b).

"Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable C.F.R.e, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
- (2) Within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. section 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. section 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. section 1.56(c).

NOTE: The "duty as described in section 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by sections 1.97(b) - (d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13-25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. section 1.51(b).

List of Sections Forming Part of This Supplemental Information Disclosure Statement

The following sections are being submitted for this Supplemental Information Disclosure Statement:

(check sections forming a part of this statement: disC.F.R.d unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☐ EPO Search Report
 - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Supplemental Information Disclosure Statement

(complete the following, if appropriate)

Sections _____, respectively, have been continued on ADDED PAGE(S).

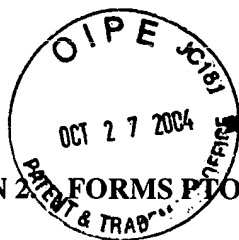
NOTE : "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this supplemental information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this supplemental information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.



SECTION 2 FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lawrence E. Felton, et al. Attorney Docket: 02550/176
Serial No: 10/657,741 Art Group Unit: 2856
Date Filed: September 8, 2003 Examiner Name: Daniel S. Larkin
Invention: Wafer Level Capped Sensor

LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|------------------|-----------------|----------------|----------------------|----------------|
| Examiner Initials | Reference Number | Document Number | Issue Date | Inventor | Class/Subclass |
| | AM | US6,753,208 B1 | June 22, 2004 | MacIntyre, D. | 438/118 |
| | AN | US6,743,656 B2 | June 1, 2004 | Orcutt, J. et al. | 438/66 |
| | AO | US6,452,238 B1 | Sept. 17, 2002 | Orcutt, J. et al. | 257/415 |
| | AP | US6,384,353 B1 | May 7, 2002 | Huang, J., et al. | 200/181 |
| | AQ | US6,307,169 B1 | Oct. 23, 2001 | Sun, X., et al. | 200/181 |
| | AR | US6,153,839 | Nov. 28, 2000 | Zavracky, P., et al. | 200/181 |
| | AS | US5,872,496 | Feb. 16, 1999 | Asada, N., et al. | 335/78 |
| | AT | US5,610,431 | March 11, 1997 | Martin, J. | 257/415 |
| | AU | US5,511,428 | April 30, 1996 | Goldberg, H., et al. | 73/777 |

Examiner Signature: _____

Date Considered: _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation *if not* in conformance and not considered. Include copy of this form with next communication to applicant.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. section 1.98(a)(2) requires that any information disclosure statement filed under section 1.97 shall include: "A legible copy of: (1) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . ."

NOTE: The wording in section 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

☒ Exception(s) to above:

☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

U.S. patent citations are not included pursuant to 37 CFR 1.98 9(a)(2)(i) and 37 CFR 1.491(b), in which the USPTO waived the requirement for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003.

Section 10. Identification of Person(s) Making This Supplemental Information Disclosure Statement

The person making this certification is:

(check each applicable item)

- (a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. section 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

☐ supplied by the inventor(s).

☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. section 1.56(c)).

☒ in the practitioner's file.

Reg. No.: 36,265

Tel. No.: (617) 443-9292

Customer No.: 002101

02550/00176 341854.1



SIGNATURE OF PRACTITIONER

Steven G. Saunders

(type or print name of practitioner)

125 Summer Street, 11th Floor

P.O. Address

Boston, MA 02110

Practitioner's Docket No.



2550/176

PATENT

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lawrence E. Felton, et al.

Application No.: 10/657,741

Group No.: 2856

Filed: September 8, 2003

Examiner: Daniel S. Larkin

For: Wafer Level Capped Sensor

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING DATE OF EITHER A FINAL ACTION
OR NOTICE OF ALLOWANCE (37 C.F.R. SECTION 1.97(c))

NOTE: An information disclosure statement shall be considered by the Office if filed . . . before the mailing date of either (1) a final action under Section 1.113 or (2) a notice of allowance under Section 1.311, whichever occurs first, provided the statement is accompanied by either a statement as specified in paragraph (e) of Section 1.97 or the fee set forth in Section 1.17(p).

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "If information submitted during the period set forth in 37 C.F.R. 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

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☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: October 25, 2004

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office (703) ____-____.

Signature

Steven G. Saunders

(type or print name of person certifying)

submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [i]f the new ground of rejection was necessitated by amendment of the application by applicant. Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 C.F.R. 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

TIME OF TRANSMITTAL OF ACCOMPANYING SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

1. The information Supplemental Disclosure Statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

- (1) a final action under Section 1.113 or
- (2) a notice of allowance under Section 1.311,

whichever occurs first.

STATEMENT OR FEE

2. Accompanying this transmittal is

(check either A or B below)

A. ☐ a statement as specified in 37 C.F.R. Section 1.97(e).

OR

B. ☒ the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an supplemental information disclosure statement under Section 1.97(c). (\$180.00).

FEE PAYMENT

(complete this item, if applicable)

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an supplemental information disclosure statement under Section 1.97(c) (\$180.00).

Fee due \$ 180.00

METHOD OF PAYMENT OF FEE

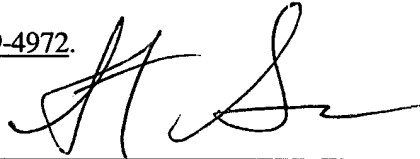
4.

☒ Attached is a check in the amount of \$ 180.00.

☐ Charge Account No. _____ in the amount of \$ _____.

A duplicate of this request is attached.

If any additional fees are due, please charge Account #19-4972.



SIGNATURE OF PRACTITIONER

Reg. No. 36,265

Steven G. Saunders

(type or print name of practitioner)

Tel. No.: (617) 443-9292

125 Summer Street, 11th Floor

P.O. Address

Customer No.: 002101

Boston, MA 02110

02550/00176 341872.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Felton et al.
Serial No.: 10/657,741
Date Filed: September 8, 2003
Invention: Wafer Level Capped Sensor

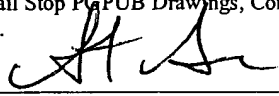


Atty. Docket: 2550/176
Art Unit: 2856
Examiner: Daniel S. Larkin
Date: October 22, 2004

Certificate of Mailing Under 37 CFR §1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop PGPUB Drawings, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: October 22, 2004


Steven G. Saunders

EV 333085673 US
Express Mail Label Number

Mail Stop PGPUB Drawings
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR SUBMISSION OF FORMAL DRAWINGS
PRIOR TO PUBLICATION OF APPLICATION

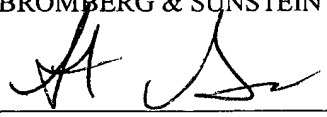
Dear Sir:

Pursuant to 37 CFR § 1.182, Applicants hereby petition to replace the informal drawings, presently on file, with the enclosed five (5) sheets of formal drawings for Figures 1-8D, prior to the publication of the application. Please charge the petition fee of \$130 set forth in 37 CFR § 1.17 (h) to Deposit Account No. 19-4972.

No additional fees are believed to be due in connection with this petition. However, please charge any additional fees to Deposit Account No. 19-4972.

Respectfully submitted,

BROMBERG & SUNSTEIN LLP


Steven G. Saunders
Registration No. 36,625
Attorney for Applicants

Date: October 22, 2004

BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110-1618
(617) 443-9292
(617) 443-0004 (Facsimile)

02550/00176 341646.1

Please Date Stamp and Return

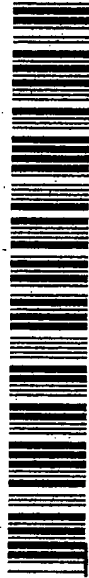
The Commissioner for Patents has received from Bromberg & Sunstein LLP the following re:

Inventor: Felton et al.
 Title: Wafer Level Capped Sensor
 Serial/Patent No.: 10/657,741
 Filing/Issue Date: September 8, 2003
 Docket No.: 2550/176
 Art Unit: 2856
 Examiner: Daniel S. Laikin
 Date: October 22, 2004
 Express Mail No.: EV 333085673 US

Documents:

- ☐ New Application Transmittal
☐ Provisional Application Cover Sheet
☐ Description- pages
☐ Claims- pages
☐ Abstract
☐ Application Data Sheet
☒ Request and Certification under 35 USC 122(b)(2)(B)(i)
☒ 5 sheets of drawings
☒ formal ☐ informal
☐ Declaration & Power of Attorney
☐ executed ☐ unexecuted
☒ Authorization to charge \$130 to dep. acct. 19-4972
☐

- ☐ Amendment Transmittal
☐ Amendment (Preliminary) Response
☐ IDS & References
☐ Petition for month extension
☐ Issue Fee Transmittal & Form PTOL-85b
☐ Payment of Maintenance Fee
☐ Assignment/Recordation Form Cover Sheet
☐ Check in the amount of \$
☐ Completion of Filing Requirements
☐ Transmittal of Formal Drawings
☒ Petition for Submission of Formal Drawings



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| Date In Mo. Day Year | | <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | | Mo. Day | | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | |
| Time In Mo. Day Year | | <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | | Delivery Attempt | | Employee Signature | |
| <input type="checkbox"/> AM <input type="checkbox"/> PM | | <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | | Mo. Day | | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | |
| Weight lbs. ozs. | | Int'l Alpha Country Code | | Delivery Date | | Employee Signature | |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | | Acceptance Clerk Initials | | Mo. Day | | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | |
| Flat Rate Envelope <input type="checkbox"/> | | Postage | | Mo. Day | | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | |
| Return Receipt Fee | | COD Fee | | Mo. Day | | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | |
| Insurance Fee | | Total Postage & Fees | | Mo. Day | | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | |
| \$ | | \$ | | Mo. Day | | Time <input type="checkbox"/> AM <input type="checkbox"/> PM | |

Federal Agency Acct. No. or Postal Service Acct. No. **X021606**

FROM: (PLEASE PRINT)
 Steven G. Saunders, Esq.
 BROMBERG & SUNSTEIN LLP
 125 SUMMER ST STE 1100
 BOSTON MA 02110-1618
 PHONE 617-443-9292

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10/22/04

10/22/04